MATTER 2 STATEMENT
This written statement relates to Matter 2 - Housing Target

The statement has been prepared by Deans Preservation Group, Brighton as part of the public consultation on the Brighton & Hove City Plan 1. It is in response to the Government Inspector’s invitation to submit “additional statements” in April 2015.

DEANS PRESERVATION GROUP – REPRESENTATION
We represent people opposed to development on Urban Fringe Site 42. Over 1,600 people have signed our petition submitted to Brighton & Hove City Council objecting to development on the site.

Our comments on the proposed modifications to the City Plan have been supported by 640 people who have either responded to our email questionnaire or have signed our hard copy petition.

Our comments are also supported by the following organisations:

- ORPS (Ovingdean Residents Preservation Society)
- The Vale Residents’ Association
- Sussex Wildlife Trust

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Appendix: Extract from LandVision Landscape Assessment - Urban Fringe Site 42

Contents list (for full document)
Executive Summary
Conclusion

**Organisation Details:**

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Deans Preservation Group, REP/96 - Brighton & Hove City Plan Part 1 Further Written Representations, Matter 2
MATTER 2 – HOUSING TARGET

a. Urban Fringe

Question i.

Does the city plan, as proposed to be modified, strike the right balance between seeking to meet the need for new housing and the environmental benefits of retaining open space in the urban fringe?

Answer:

No it does not. The City Plan is based on the LUC Urban Fringe Assessment, June 2014 which is a deeply flawed document that comes to the wrong conclusions. Through error and omission and using out-of-date information it undervalues the environmental and other benefits of retaining open space in the urban fringe.

In theory the approach of the B&HCC was viable – to appoint consultants to produce a report on their behalf. The problems arose because of the rushed timescale. The council were trying to complete the work before issuing City Plan 1, and this led to shortcuts. As a result the Urban Fringe Assessment used an inadequate process, resulting in erroneous detailed content and ending up with a flawed and misleading conclusions. The shortcomings of the LUC Urban Fringe Assessment are set out below.

Our local Green Spaces are between a rock and a hard place

The problem for local people is that the NPPF creates an environment where our highly valued Urban Fringe sites are under potential threat of development. The only protection being offered by B&HCC is to adopt as a “Material Consideration” the flawed Urban Fringe Assessment which, without proper analysis, suggests development on areas that should be protected.

The solution is that all development upon the Urban Fringe should be postponed until the further assessments promised by B&HCC can be made and City Plan 2 implemented. Because the Urban Fringe contributes such a small proportion of the Brighton and Hove housing supply it is worth the delay to ensure that this valuable resource is analysed properly and that local people feel they have the chance to make their case, rather than be forced into giving up amenity land which is highly valued.

The required protection could be provided by simply extending the validity of saved policies NC5 and NC6 from the Local Plan 2005.

No local input

There was no provision made for local input into the Urban Fringe Assessment at the data gathering stage. So, although it purported to be “independent” because it was written by outsiders it ended up just being ignorant about local issues.
An example is the lack of understanding of local issues is the failure of the study to recognise the crucial role sites 41, 42 and 43 play in the green corridor between the Beacon Hill Nature Reserve and the wider SDNP (see below).

**Lack of understanding of local ecological issues**

The Urban Fringe Assessment demonstrates a lack of understanding of significant local issues, For example there is no recognition of the importance of the links between areas of the SDNP.

![Urban Fringe Map](image)

> **The Urban Fringe Map showing the role of sites 41,42 and 43 as stepping stones in the green corridor connecting two areas of the National Park**

Many of the urban fringe sites are part of the Brighton and Hove Green Network Biodiversity Opportunity Area and in the eastern part of the city several are crucial links between the SDNP nature reserves of Beacon Hill and Mount Pleasant and the wider SDNP i.e. Sites 41, 42 and 43. The report should have recognised and evaluated the merit of leaving these sites completely undeveloped to maintain this vital green network.

The government has acknowledged the crucial importance of coherent ecological networks linking wildlife sites in NPPF 113, 114 and 117. Strategic Objective 10 of the submission City Plan 1 also highlights the importance of creating and maintaining the green infrastructure. Current thinking is that the links or stepping stones are as important as the nature reserves themselves. Without one, the other could not flourish. The development of even parts of sites lessens these crucial green links. None of this is properly addressed in the assessment.
No detailed landscape assessment

No proper Landscape Impact Assessments were done as part of the Urban Fringe Assessment and many important aspects of local landscape were missed. This is particularly significant since a large part of the value of the Urban Fringe sites derives from their contribution to the landscape. This was a huge omission completely undermining the validity of the Urban Fringe Assessment.

The Deans Preservation Group has commissioned a professional organisation (LandVision) to carry out an independent landscape assessment. The findings in its report are that Site 42 is too important a feature in the landscape to be subject to any development. Bearing in mind the request for statements to be succinct, we have judged the full LandVision study to be too long and detailed to form part of this submission. So instead of the full document we have submitted the following extracts, which are particularly relevant, as an appendix:

- The Contents List (to show the scope of the report)
- The Executive Summary and
- The Conclusions.

The full assessment is available on request and will be made available to Brighton & Hove Council to help them inform their decision on City Plan 2.

Superficial field visits

In an attempt to cover the lack of full landscape assessments, a series of site visits were made during preparation of the Urban Fringe Assessment. Unfortunately these were far too superficial in their approach and factors of major importance to the landscape were missed.

For example, of the many roles that Site 42 plays, two of the most important are its contributions to the landscape: firstly, as a part of the narrow connecting neck of land between two major areas of the National Park and secondly, as a part of the Happy Valley landform. Also there are significant views into and across it from the SDNP. All this was missed in the Urban Fringe Assessment, but is highlighted in the professional landscape assessment by LandVision commissioned by Deans Preservation Group.
The left-hand map shows the role played by Site 42 in the Happy Valley landform.

The right-hand map shows its role as part of the narrow neck of land between two major areas of the National Park.

Using out-of-date and incorrect information

The report used the ecological designations and information from the previous 2013 Urban Fringe Assessment. This information was out-of-date and gave an incomplete picture of the ecology of the urban fringe sites. Any assessment of this kind should have consulted the Sussex Biodiversity Records Centre and incorporated the latest data on record. For example a series of biodiversity surveys was carried out by ecologists on Site 42 early in 2014 and their results posted on the Sussex Biodiversity Record Centre database during the period of preparation of the Urban Fringe Assessment and well before its conclusion. None of this up-to-date information was incorporated in the assessment. This led to the report missing several important factors.

Because it used out-of-date records for Site 42 from the Sussex Biodiversity Records Centre, the Urban Fringe Assessment failed to recognise that this site is Lowland Calcareous Grassland, a Section 41 habitat of international conservation concern. Furthermore, whilst the report acknowledges the presence of an internationally threatened plant species, it uses out-of-date records to conclude this species could be mitigated for. In fact, records show that the spread of this species is such that the proposed mitigation measures proposed by the Urban Fringe Assessment are not feasible. The report also misses other rare and endangered species on Site 42, including the presence of a rare plant that is not found anywhere else in Sussex (we have already provided more details in our submission for the “City Plan – Proposed Modifications Consultation Nov-Dec 2014”).
The failure to recognise these important features has resulted in the Urban Fringe Assessment coming to an erroneous conclusion that the site is, in part, suitable for development –which it most certainly is not.

The degree to which the Urban Fringe Assessment falls short of reaching valid conclusions is illustrated by the fact that the area in site 42, which it suggested might be suitable for 45 houses, coincides almost exactly with the colony of Red Star-thistle on the site. Red Star-thistle is classified as ‘Critically Endangered’ in the Vascular Plant Red Data List for Great Britain 2006.

**Inadequate consultation of interested parties**

Nowhere in the Urban Fringe Assessment is it stated that LUC consulted the South Downs National Park Authority. It was crucial that they did so as many of the urban fringe sites are next to or situated in between the SDNP. It is difficult to see how the Urban Fringe Assessment can meet the requirements of NPPF paragraph 115 and policy SA5 of the City Plan without LUC consulting with the SDNP Authority.

**Failure to address air pollution**

There are serious problems in the area, with air pollution in Rottingdean High Street well above the legal EU maximum limit and being designated as an Air Quality Management Area. The approximate 235 dwellings proposed for the urban fringe sites in the Rottingdean, Ovingdean, Woodingdean and Saltdean area will inevitably significantly increase this atmospheric pollution. In this case there would be a conflict between such developments and the law. This matter was not addressed in the Urban Fringe Report.

**Failure to address cumulative traffic Issues**

The road system in Brighton and Hove has come under severe pressure over recent years. In part this is as the result of the constrained geography of the City, lying between the South Downs and the sea. Another factor has been the B&HCC’s policy of discouraging car travel in the city centre which has led to large concentrations of traffic in outlying areas. In certain parts of the City, one or two roads form the only connection for miles around. One such is the B2123 which connects the A27 to the Coast Road. This road is subject to major traffic delays on a daily basis. The developments proposed in the Urban Fringe Assessment i.e. an extra 235 houses in the Rottingdean, Woodingdean, Ovingdean and Saltdean area, would have cumulative effects on such already overused and under-resourced transport links. Tourism and other aspects of the local economy could suffer. The Urban Fringe Assessment did not take into account these effects or even acknowledge that they exist.

**Unintended consequences**

In practice the whole process of producing LUC the Urban Fringe Assessment has already had severe adverse effects locally. Just the mention in the Assessment of the possibility of development has been enough to induce developers to cause damage. Some developers have interpreted the Urban Fringe Assessment as being carte-blanche to start devastating its environment. Their objective has been to make it harder for local people to defend a site where trees and wildlife have been destroyed. Two examples in Ovingdean serve to illustrate the problem. Both Site 41 – “Land at Wanderdown Road Open Space” and Site 43 – “Land to Rear of Longhill Road” have been subject to woodland clearance and destruction by developers. This has occurred not only to the areas
suggested for development in the Urban Fringe Assessment, but has extended beyond to parts of sites not considered suitable for housing in the report.

**Question ii.**

Does Policy SA4, as proposed to be modified, provide a robust framework to guide the allocation of sites in Part 2 of the Plan?

**Answer:**

No it does not. Policy SA4 states that “Should proposals for development come forward prior to the adoption of Part 2 of the City Plan, that the 2014 Urban Fringe Assessment will be a material planning consideration in the determination of applications for residential development within the urban fringe.”

**SA4 SHOULD NOT BE a material consideration**

If SA4 were adopted as a material consideration it would mean that prior to the adoption of City Plan 2 the city will be open to development as set out in the flawed Urban Fringe Assessment with all its shortcomings (see above). This is a wholly unacceptable situation. The Urban Fringe Assessment is so deficient and its conclusions are so wide of the mark that a more rigorous and accurate approach is needed. In the interim the City should determine housing applications in accordance with saved policies NC5 and NC6 from the Local Plan 2005.

**More unintended consequences**

To allow the Urban Fringe Assessment to be a material consideration would be another of the decisions that would lead to “unintended consequences” for residents of the area, who would then be faced with a stampede of speculative planning applications intended to “beat the deadline” of City Plan 2.

**There should be a more thorough examination of individual urban fringe sites in City Plan 2 before any potential allocations are made**

To their credit B&HCC have recognised this and their approach is not to allocate housing on the basis of the LUC Urban Fringe Assessment 2014, but to make a “more detailed assessment of potential housing sites to inform allocations made in Part 2 of the City Plan.”

This would be a sound strategy if it were not undermined by adopting the Urban Fringe Assessment as a “Material Consideration” in SA4. Without that, the assessment under City Plan 2 should lead to the right balance between housing development and the environment.

The proposed “Detailed Assessment” should take into account all the shortcomings identified in our answers to question i. above. i.e.

- Include local input
- Investigate and evaluate the sites in relation to their local ecological role
- Prepare full landscape impact assessments of all sites
- Carry out thorough ecological studies of all sites and consult Sussex Biodiversity Records Centre to obtain up to date data on habitats and species.
- Recognise fully the significance of the Green Network Biodiversity Opportunity Area
• Include field work as part of the Assessment
• Use up-to-date information
• Carry out full consultation with interested parties including the SDNP
• Undertake archaeological surveys where not available
• Address air pollution issue
• Address cumulative traffic issues
• Provide opportunity for public comment and feedback
• Take care to avoid unintended consequences
• It should not be time constrained to the extent that each site cannot be given a full assessment (as happened with the LUC Urban Fringe Assessment)

The fact that the council would not yet be in a position to make a firm housing allocation on Urban Fringe Sites should not stand in the way of approval of the City Plan by the Government Inspector. By means of its “Detailed Assessment” B&HCC has laid out a process that should lead to a resolution of the question of what housing should be allocated on Urban Fringe sites.

**Way Forward**

The principle of the approach used by B&HCC is correct – to use independent qualified consultants to carry out an assessment on their behalf, but in order for it to provide a robust framework to guide the location of housing in City Plan 2 the exercise needs to be rerun with a more thorough approach. In the meantime there should be no planning permission granted for housing on Urban Fringe Sites until the new assessment of the Urban Fringe sites under City Plan 2 is complete.
Appendix

LANDVISION LANDSCAPE ASSESSMENT FOR URBAN FRINGE SITE 42 (EXTRACT COMPRISING CONTENTS, EXECUTIVE SUMMARY AND CONCLUSIONS)